

PUBLIC NOTICE

PUBLIC NOTICE OF DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

**U.S. Environmental Protection Agency, Region 5
NPDES Programs Branch (WN-16J)
77 West Jackson Boulevard
Chicago, IL 60604
(312) 886-0981**

Permit No.:
WI-S062286

Public Notice No.:
02-09-1

Docket No.:
V-W-02-308-13

Public Notice Issued On:
September 18, 2002

Name and Address of Applicant:
McClure Engineering Associates, Inc.
6838 E. State Street
Rockford, IL 61108

Name of site Where Discharge Takes Place:
Wal-Mart Store No. 1453-00, located at 2440 West Mason Street, Green Bay, Wisconsin, 54303, within the exterior boundaries of the Oneida Indian Reservation.

Receiving Waters:
McClure Engineering Associates is authorized by U.S. EPA, Region 5 to discharge storm water associated with the Wal-Mart Store expansion to the following waters of the United States:
Beaver Dam Creek

DESCRIPTION OF ACTIVITIES FOR WHICH THE PERMIT IS DRAFTED

McClure Engineering Associates, Inc. is currently planning the Wal-Mart Store No.1453-00 Expansion Project in Wisconsin. This project will involve the construction of a 99,699 square foot grocery store addition onto the existing store creating a 211,052 square foot Super Center. The expansion will affect 14.7 acres of land which will be cleared and graded as necessary to create a level, stable working surface to create the new addition and to expand the parking lot. This project is located within the exterior boundaries of the Oneida Indian Reservation.

SPECIAL CONDITIONS FOR STORM WATER POLLUTION PREVENTION PLANS

Construction sites exposed to storm water (rainfall and snowmelt) can result in the soil erosion and offsite transport of sediment, particularly if these sites are not properly managed through implementation and maintenance of sound erosion and sediment control practices. The existing permit requires the development and implementation of a Storm Water Pollution Prevention Plan, and a Storm Water Management Plan for the Wal-Mart expansion project. The

purpose of the Storm Water Pollution Prevention Plan is to minimize soil erosion and prevent sediment from the construction site from entering waters of the United States. The plan must address minimization and protection of exposed soils, best management practices (BMPs) for preventing soil transport offsite, and other controls to prevent the discharge of construction related materials. The sites must be inspected and BMPs appropriately maintained for continued effectiveness. The goal of the Storm Water Management Plan is protect receiving waters from pollutants generated following the completion of construction and site stabilization.

TENTATIVE DETERMINATION

On the basis of preliminary staff review of the facts and applicable standards and regulations, the Regional Administrator of the U.S. EPA, Region 5, proposes to issue a permit for the storm water discharge, subject to certain conditions. U.S. EPA, Region 5 has made a tentative determination that the proposed activity will not impact any federally listed threatened or endangered species pursuant to the Endangered Species Act for the project, nor any properties included, or eligible for inclusion, on the National Register of Historic Places pursuant to the National Historic Preservation Act for the Wal-Mart Expansion Project. This is a public notice of U.S. EPA's intent to issue an NPDES permit.

COMMENT PROCEDURES

Interested parties are invited to submit written comments on the draft permit. USEPA's Comment and Public Hearing procedures may be found at 40 CFR 124.10, 124.11, and 124.12. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permit may be submitted extends 30 days from the date of this notice.
2. During the comment period, any interested person may request a public hearing by filing a written request stating the issues to be raised. The last day to request a public hearing is 30 days from the date of this notice.
3. In appropriate cases, including those where there is significant public interest, U.S. EPA, Region 5 may hold a public hearing. A decision has not yet been made as to whether a public hearing will be held on this permit action. Should U.S. EPA, Region 5 decide to hold a public hearing, notice of such decision will be circulated in at least one newspaper in the geographical area of the discharge and sent to those persons on U.S. EPA's mailing list at least 30 days prior to the date of such hearing.
4. All comments received prior to a final determination shall be considered in the final determination.
5. Written comments and requests for a public hearing must be delivered or mailed to :

Brian Bell
U.S. Environmental Protection Agency, Region 5
NPDES Programs Branch (WN-16J)

77 West Jackson Boulevard
Chicago, Illinois 60604

6. Interested parties may also send electronic comments and requests for a public hearing via email to: bell.brianc@epa.gov.

Unless a Public Hearing is scheduled, the U.S. EPA, Region 5 will issue a final determination as to the issuance of the draft permit in a timely manner after the expiration of the public comment period.

The draft permit, comments received, and other documents are available for inspection at the offices of U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, IL, 60604, anytime between 9:00 a.m. and 3:30 p.m., Monday through Friday. Copies of these documents are available at no charge at the address shown above for the U.S. EPA, Region 5. The electronic copy of the draft modified permit, and fact sheet can be found at U.S. EPA, Region 5, NPDES Programs webpage at the following internet address:
<http://www.epa.gov/r5water/npdestek/npdcfrp.htm>

Please bring the foregoing to the attention of persons you know would be interested in this matter.